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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,858	11/03/2000	Felix G.T.I. Andrew	205350	6381

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EXAMINER	
ZHEN, LI B	

ART UNIT	PAPER NUMBER
2194	

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/705,858	ANDREW ET AL.	
	Examiner	Art Unit	
	Li B. Zhen	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 March 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,9-17,19-24 and 26-32* is/are rejected.

7)☐ Claim(s) *8,18 and 25* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 32 are pending in the application.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1 – 14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1 – 14 are not limited to tangible embodiments. In view of Applicant's disclosure, specification page 8, line 12 – page 9, line 2, the medium is not limited to tangible embodiments, instead being defined as including both tangible embodiments (e.g., RAM, ROM, EEPROM, flash memory or other memory technology, CD-ROM, digital versatile disks (DVD) or other optical disk storage, magnetic cassettes, magnetic tape, magnetic disk storage or other magnetic storage devices) and intangible embodiments (e.g., a wired network or direct-wired connection, and wireless media such as acoustic, RF, infrared and other wireless media). As such, the claim is not limited to statutory subject matter and is therefore non-statutory. To overcome this type of 101 rejection the claims need to be amended to include only the physical computer media and not a transmission media or other intangible or non-functional media.

Allowable Subject Matter

4. Claims 8, 18 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,507,351 to Bixler.**

7. As to claim 15, Bixler teaches a method of displaying a notification [retrieve, store and manipulate various data items and information from multiple sources, col. 5, lines 30 – 38; specific information concerning business-unit performance or other organizational news via the LAN/WAN that is routinely acquired and displayed on computer systems, col. 6, lines 50 – 65] received [display of information acquired from various selected sources by information management system control program 100; col. 5, lines 38 – 61] from one of a plurality of objects at a notification component [information management system control program 100, Fig. 1; col. 5, lines 25 – 33] adapted to receive notifications from the plurality of objects [acquires information from

multiple user-selected sources such as conventional utility programs, user-defined data files, Internet and LAN/WAN sources as indicated by is blocks 104-111; col. 5, lines 49 – 61] and adapted to receive notifications of different notification classifications [order and the frequency of display of each information type may vary; col. 7, lines 32 – 55], the method comprising the steps of:

determining, by the notification component, a notification classification [a first Personal File is accessed and displayed, followed by a first Photo File, followed by a first Learning File, and so on, until each information interface type has been displayed; col. 7, lines 32 – 55]; and

rendering, by the notification component, the notification in accordance with the notification classification [select the order in which the different display/interface process routines display information, col. 8, lines 4 – 20; information is stored in the external e-mail, appointment and task programs and is accessed for display in the pre-selected sequence, as defined in the program set-up module; col. 10, lines 33 – 62; col. 10, line 67 – col. 11, line 13] and a user specified priority [display sequence is based on the set-up information described previously and may vary according to user-defined criteria; col. 9, lines 20 – 53].

8. As to claim 1, Bixler teaches a computer-readable medium having computer-executable instructions for performing steps comprising:

receiving a notification [retrieve, store and manipulate various data items and information from multiple sources, col. 5, lines 30 – 38; specific information concerning business-unit performance or other organizational news via the LAN/WAN that is

routinely acquired and displayed on computer systems, col. 6, lines 50 – 65] at a notification component [display of information acquired from various selected sources by information management system control program 100; col. 5, lines 38 – 61] to provide to a user, the notification component adapted to receive notifications from a plurality of objects [acquires information from multiple user-selected sources such as conventional utility programs, user-defined data files, Internet and LAN/WAN sources as indicated by is blocks 104-111; col. 5, lines 49 – 61] and adapted to receive notifications of different notification types [order and the frequency of display of each information type may vary; col. 7, lines 32 – 55];

determining a priority to assign the notification based on a user specified priority [display sequence is based on the set-up information described previously and may vary according to user-defined criteria; col. 9, lines 20 – 53];

deciding a notification type [a first Personal File is accessed and displayed, followed by a first Photo File, followed by a first Learning File, and so on, until each information interface type has been displayed; col. 7, lines 32 – 55]; and

rendering the notification in accordance with the priority [display sequence is based on the set-up information described previously and may vary according to user-defined criteria; col. 9, lines 20 – 53] and the notification type [select the order in which the different display/interface process routines display information, col. 8, lines 4 – 20; information is stored in the external e-mail, appointment and task programs and is accessed for display in the pre-selected sequence, as defined in the program set-up module; col. 10, lines 33 – 62; col. 10, line 67 – col. 11, line 13].

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. **Claims 2 – 4, 6, 10 – 14, 16 – 17, 19, 20, 23, and 26 – 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bixler in view of U.S. Patent NO. 6,412,021 to Nguyen [cited in previous office action].**

11. As to claim 2, Bixler teaches displaying a notification but does not teach determining a medium to render a notification [col. 5, lines 30 – 38 and col. 6, lines 50 – 65].

However, Nguyen teaches determining a notification medium to render the notification [a possible response to an applet event indicating receipt of new mail is to call a setIcon () method to change the image of the button icon in the selection bar to indicate that new mail has arrived...other notification methods may be called by the event handler of notification class 601 in response to specific events include setFlashingGlyph (), setFixedGlyph (), playAudioClip () and showMessageDialog (), Fig. 6; column 12, lines 20 – 40].

12. It would have been obvious to a person of ordinarily skilled in the art at the time of the invention to apply the teaching of determining a notification medium to render the notification as taught by Nguyen to the invention of Bixler because this provides multiple

methods of displaying an notification such as a dialog box and changing the image or images associated with the button icon [col. 4, lines 52 – 67 of Nguyen].

13. As to claim 3, Bixler as modified teaches determining an area on a display to render the notification [a possible response to an applet event indicating receipt of new mail is to call a setIcon () method to change the image of the button icon in the selection bar to indicate that new mail has arrived...other notification methods may be called by the event handler of notification class 601 in response to specific events include setFlashingGlyph (), setFixedGlyph (), playAudioClip () and showMessageDialog (), Fig. 6; column 12, lines 20 – 40 of Nguyen]. The location can be either in the selection bar or a dialog box.

14. As to claim 4, Bixler as modified teaches receiving a property of the notification, and receiving a notification to be sent to the user [Each applet event is an instance of an applet event class, and contains an event ID...event ID is used by an event handler to classify the type of event for use in determining an appropriate response to the event; column 12, lines 20 – 40 of Nguyen].

15. As to claim 6, Bixler as modified teaches selecting one of a display notification [a setIcon () method to change the image of the button icon in the selection bar to indicate that new mail has arrived...setFlashingGlyph (), setFixedGlyph (), and showMessageDialog (); column 12, lines 20 – 40] and an audio notification [playAudioClip (); column 12, lines 20 – 40 of Nguyen].

16. As to claims 10 and 11, Bixler as modified teaches queuing the notification [applet 602 is able to generate applet events, such as applet event 603, and place those events on event queue 613 of notification class 601, Fig. 6B; column 12, lines 13 – 19 of Nguyen]. As to the queue arranged according to the priority of the notification, see the rejection to claim 15 above.

17. As to claim 12, Bixler as modified teaches flushing a queue of prior notifications [col. 9, lines 48 – 53 of Bixler].

18. As to claim 13, Bixler as modified teaches determining the priority to assign the notification comprises the step of determining a number of times the user is provided notification [display frequency or cycle and duration; col. 10, lines 33 – 62 of Bixler].

19. As to claim 14, Bixler as modified teaches determining a notification classification of the notification [notification class instance interprets the type of event from the event ID and handles the event as appropriate; column 4, lines 65 – 67 of Nguyen], a user preference list [a configuration file...contains information associated with...the location of the code for the notification class; column 4, lines 38 – 52 of Nguyen], and rendering the notification if the notification classification is listed in the list of selected classifications [type of event may be determined from the event ID...if the event is not a notification event, the event is handled in step 811...if the event in step 808 is a notification event, the state of the notification class is updated, if needed, in step 809 based on the specific event...in step 810, user notification is performed; col. 13, lines 35 – 50 of Nguyen].

20. As to claim 16, Bixler as modified teaches rendering the notification in the notification medium in accordance with the notification classification [Each applet event is an instance of an applet event class, and contains an event ID...the event ID is used by an event handler to classify the type of event for use in determining an appropriate response to the event...the response to an applet event entails one or more forms of user notification, such as changing the button icon in the selection bar, setting a fixed or flashing glyph on the button icon, displaying a message in a dialog box, or playing an audio clip; column 12, lines 20 – 40 of Nguyen].

21. As to claim 17, Bixler as modified teaches rendering the notification accordance with a user preference [configuration files list the button icons to be displayed in the selection bar and provide information associated with each button icon...Identification of the button icons, or buttons, to be included in the selection bar may be provided as a property in a configuration file; column 10, lines 39 – 47 of Nguyen].

22. As to claims 19 and 20, Bixler as modified teaches determining one of a contact classification [a setIcon () method to change the image of the button icon in the selection bar to indicate that new mail has arrived...setFlashingGlyph (), setFixedGlyph (), and showMessageDialog (); column 12, lines 20 – 40 of Nguyen], a financial classification [calendar applet can display a small pop-up window with appointment information; column 9, lines 46 – 59 of Nguyen], and an audio classification [playAudioClip (); column 12, lines 20 – 40 of Nguyen].

23. As to claim 23, Bixler as modified teaches rendering the notification using the rendering type [configuration files list the button icons to be displayed in the selection bar and provide information associated with each button icon... Identification of the button icons, or buttons, to be included in the selection bar may be provided as a property in a configuration file; column 10, lines 39 – 47 of Nguyen].

24. As to claims 26 and 27, Bixler as modified teaches updating a history of notifications [col. 9, lines 34 – 38 of Bixler]. As to flushing notifications, see the rejection to claim 12 above.

25. As to claims 28 and 29, Bixler as modified teaches displaying the history [col. 9, lines 34 – 38 of Bixler], and performing at least one action if a notification in the history is selected by a user selection device [col. 11, lines 14 – 47 of Bixler].

26. **Claims 21, 22, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bixler and Nguyen in view U.S. Patent NO. 6,542,868 to Badt [cited in the previous office action].**

27. As to claim 21, Bixler as modified does not teach sending a pre-notification notification prior to performing the step of rendering the notification.

However, Badt teaches sending a pre-notification notification prior to performing the step of rendering the notification [system notifies the user of the selected notification prior to playing the message corresponding to the selected notification; col. 2, lines 5 – 15 of Badt].

28. It would have been obvious to a person of ordinarily skilled in the art at the time of the invention to apply the teaching of sending a pre-notification notification prior to performing the step of rendering the notification as taught by Badt to the invention Bixler as modified because this prepares the user for an incoming notification.

29. As to claim 22, Bixler as modified teaches converting a text message into an audio [text-to-speech] message [messages may be predefined scripts, text-to-speech, or recorded audio; col. 4, lines 1 – 15 of Badt].

30. As to claim 30, Bixler as modified teaches performing at least one action [play message] if the notification is selected by a user selection [microphone] device [interface notifies the user of a selected notification, and it queries the user as to whether the message corresponding to the selected notification should be played...user responds to the query by speaking into the microphone 30; col. 5, lines 60 – 67 of Badt].

31. As to claim 31, Bixler as modified teaches performing at least one action if one of a keyword and a key-phrase is spoken by a user [audio signals received by the computer are conventionally provided to the speech recognition engine application 26 via the computer operating system 24 in order to perform speech recognition functions; col. 3, lines 38 – 50 of Badt].

32. **Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bixler and Nguyen in view of U.S. Patent No. 6,144,942 to Ruckdashel [cited in previous office action].**

33. As to claim 9, see the rejection to claim 6 with regards to selecting one of one of a display notification and an audio notification. Bixler as modified does not appear to teach a pager notification.

However, Ruckdashel teaches a method of event notification using a pager [boxes 713 and 715 relate to other methods, email and wireless messenging device or pager, of notifying the user as the specified appointment approaches; column 5, lines 20 – 36].

34. It would have been obvious to a person of ordinary skill in the art at the time of the invention to apply the teaching of a pager notification as taught by Ruckdashel to the invention of Bixler as modified because pager notification allows a user who is away from their computer to be notified of an event.

35. **Claims 5 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bixler in view of U.S. Patent No. 6,405,204 to Baker [cited in previous office action].**

36. As to claim 5, Bixler does not teach XML-based notification.

However, Baker teaches providing news alerts to users [col. 3, lines 10 – 35] using XML-based notification [users can also specify a format for each alert, for example, text, HTML, or XML; col. 17, lines 40 – 50].

37. It would have been obvious to a person of ordinarily skilled in the art at the time of the invention to apply the teaching of XML-based notifications as taught by Baker to

the invention of Bixler because XML documents tie services and application server events together in a meaningful way, forming a coherent set of applications.

38. As to claim 32, Bixler as modified teaches rendering the notification in one of a long version [send company related news AND send news that relates to all the sectors to which the company belongs; col. 4, lines 50 – 67 of Baker] and a short version [News Alert by Sector; col. 4, lines 50 – 67 of Baker].

39. **Claims 7 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bixler and Nguyen further in view of U.S. Patent No. 6,317,128 to Harrison [cited in previous office action].**

40. As to claims 7 and 24, Bixler as modified does not teaches selecting one of a transient display and an alpha-blended display.

However, Harrison teaches variably transparent objects such as menus, tool palettes, windows, and dialogue boxes [see abstract]. Harrison also teaches a transient display [a dialog box or warning message interrupts and selecting a pull-down menu (or pie menu) which temporarily blocks part of an active window; col. 5, line 65 – col. 6, line 8] and generating semi-transparent objects [alpha-blended display] to blend a background color intensity with the color intensity of the image below a foreground object [col. 7, line 60 – col. 8, line 5].

41. It would have been obvious to a person of ordinarily skilled in the art at the time of the invention to apply the teaching of an alpha-blended display as taught by Harrison

to the invention of Bixler as modified because variably-transparent GUIs allow multiple object image layers to be simultaneously observed [col. 2, lines 38 – 50 of Harrison].

Conclusion

42. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,169,534 to Raffel et al. teaches a method and apparatus for displaying information regarding an event.

U.S. Patent No. 5,959,621 to Nawaz et al. teaches a system and method for dynamically displaying data items on a client computer.

U.S. Patent No. 6,857,017 to Faour et al. teaches a system customizing user displays on a computer includes the generation of events by an event handler in communication with executing applications.

43. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen
Examiner
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lbz

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